

No. 18-1651

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Aug 13, 2018
DEBORAH S. HUNT, Clerk

NATIONAL LABOR RELATIONS BOARD,)
)
Petitioner,)
)
v.)
)
NORTH JACKSON SPECIALTY STEEL, LLC, a)
wholly-owned subsidiary of Universal Stainless &)
Alloy Products, Inc.,)
)
Respondent.)

J U D G M E N T

Before: MOORE and DONALD, Circuit Judges; BERTELSMAN, District Judge.*

The National Labor Relations Board (the “Board”) applies for summary enforcement by consent of its May 16, 2018, Decision and Order in Case No. 08-CA-199945 against Respondent, North Jackson Steel, LLC (“North Jackson”), its officers, agent, successors, and assigns. In a stipulation entered before the Board, North Jackson expressly consented to the entry of a judgment enforcing the Decision and Order of the Board. Upon review of the materials submitted,

It is **ORDERED** and **ADJUDGED** that the Board’s Order in Case No. 08-CA-199945 is hereby **ENFORCED**, and North Jackson, its officers, agents, successors, and assigns, shall abide by and perform the directions of the Board set forth therein. (See attached Order and Appendix).

* The Honorable William O. Bertelsman, United States District Judge for the Eastern District of Kentucky, sitting by designation.

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Because there are no issues pending, the motion to intervene is **DENIED** as moot.

ENTERED BY ORDER OF THE COURT

A handwritten signature in black ink, appearing to read "Deborah S. Hunt", is written over a horizontal line.

Deborah S. Hunt, Clerk

NATIONAL LABOR RELATIONS BOARD

v.

NORTH JACKSON SPECIALTY STEEL, LLC, A WHOLLY-OWNED
SUBSIDIARY OF UNIVERSAL STAINLESS & ALLOY PRODUCTS, INC.

ORDER

North Jackson Specialty Steel, LLC, a wholly-owned subsidiary of Universal Stainless & Alloy Products, Inc., North Jackson, Ohio, its officers, agents, successors and assigns, shall

1. Cease and desist from
 - (a) Failing and refusing to bargain collectively and in good faith with the Union by issuing discretionary suspensions and discharges to unit employees without first providing the Union with notice and an opportunity to bargain over those discretionary actions.
 - (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) Before issuing discretionary disciplinary actions to unit employees which have an immediate impact on their tenure, status, or earnings, notify and, on request, bargain with the Union over those discretionary actions.
 - (b) Within 14 days of service by the Region, post at its North Jackson, Ohio facility copies of the attached notice marked "Appendix A." Copies of the notice, on forms provided by Region 8, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, the notices shall be distributed electronically such as by email, posting on an intranet or

internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since March 7, 2017.

- (c) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply, including stating the locations that the attached notice marked "Appendix A" was posted.

APPENDIX A

NOTICE TO EMPLOYEES

**Posted by Order of the
National Labor Relations Board
An Agency of the United States Government**

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER
AND A CONSENT JUDGMENT OF ANY APPROPRIATE
UNITED STATES COURT OF APPEALS**

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

The United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union, AFL-CIO/CLC (the Union) is your exclusive collective-bargaining representative in dealing with us regarding wages, hours, and other working conditions of the employees in the following appropriate unit:

All full-time and regular part-time production and maintenance employees, employed by the Employer at its facility located at 2058 S. Bailey Road, North Jackson, Ohio, but excluding all office clerical employees, professional employees, guards and supervisors as defined in the Act.

WE WILL NOT issue discretionary suspensions, discharges, or other forms of discretionary discipline on you which have an immediate impact on your tenure, status, or earnings without first providing the Union with notice and an opportunity to bargain over those discretionary actions.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL provide the Union with notice and an opportunity to bargain over discretionary disciplinary actions having an immediate impact on your tenure, status, or earnings.

**NORTH JACKSON SPECIALTY STEEL, LLC,
a wholly-owned subsidiary of
UNIVERSAL STAINLESS & ALLOY PRODUCTS, INC.**

The Board's decision can be found at www.nlr.gov/case/08-CA-199945 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half St., S.E., Washington, D.C. 20570, or by calling (202) 273-1940.



**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

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Filed: August 13, 2018

Mr. John Arminas
600 Mayer Street
Bridgeville, PA 15017

Ms. Linda Dreeben
National Labor Relations Board
Appellate and Supreme Court Litigation Branch
1015 Half Street, S.E.
Washington, DC 20570

Re: Case No. 18-1651, *NLRB v. North Jackson Specialty Steel*
Originating Case No. : 08-CA-199945

Dear Counsel,

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Jill Colyer
Case Manager
Direct Dial No. 513-564-7024

cc: Ms. Nancy A. Parker

Enclosure

No mandate to issue